

FOR MYSORE STATE

30011. H-27--05,000 31-10 50.

E and P. H (1954-8) Department.

Mg SERIES.

G.O. NO.	2923	P. H
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Dated	25. 8. 48	

[Despatch Abstract.]

Act - the M.L.B - Amendment
Act - 1940 - Re-enactment
Papers Recorded

M E M O R A N D U M.

Act - Madras Local Boards (Amendment) Act, 1940, - (Madras Act I of 1940) - Re - enactment.

Rules had been framed under the Places of Public Resort Act, 1888 (Madras Act II of 1888) prescribing the 'fees leviable for licences issued under that Act, and the conditions under which such licences should be issued. Section 198, clause (c), of the Madras Local Boards Act, 1920, however provided that notwithstanding any provisions to the contrary in the Places of Public Resort Act, 1888, when the Govt. extended that Act to any local board area, the fee to be levied on, and the conditions to be inserted in, licences issued under that Act should be determined by the panchayat concerned. Where there was no panchayat in any area, the power to fix the licence fees and determine the conditions to be imposed in licences devolved on the District board.

2. In exercise of their powers under section 198 clause (c) of the Local Boards Act, certain panchayats had levied exorbitant fees or imposed impossible conditions, putting the parties concerned to loss and hardship. It was considered desirable that there should be uniformity in these matters throughout the Province, both as between one panchayat and another and also as between panchayats on the one hand and municipalities on the other. The Madras Local Boards Act, 1920, was therefore amended by Madras Act I of 1940, so as to make the rules issued under the Places of Public Resort Act applicable not only to municipalities but also to local boards, by deleting clause (c) of section 198 of the Madras Local Boards Act. A copy of the Act is annexed.

3. Madras Act I of 1940, like other Acts passed during the section 93 situation, will cease to be in force on the 30th April 1948, unless it is re-enacted earlier. As the reasons for re-enacting the Act continue to hold good, it is considered desirable to re-enact it.

4. The legislation falls within the scope of Entry 13 of the Provincial Legislative List, namely, "Local Government", and is intra vires the Provincial Legislature.

5. Orders are solicited whether the Act may be re-enacted permanently.

/True Copy/

 ASSISTANT CURATOR,

10.6.1953.

Madras Record Office
4/5/53

Legal Department.

The Madras Local Boards (Amendment) Act, 1940 (Madras Act I of 1940) has been re-enacted permanently. Please see the first Schedule to the Madras Act VIII of 1948.

The file may be returned to Education and Public Health

Education and Public Health.

The papers may be recorded.

Order/mu: 2923 PH. Dt. 25.8.48.

Sd... 25,8.48.

Sub: Madras Local Boards (Amendment)
Act, 1940 - Re-enactment - papers
recorded.

/true copy/

KP.16.6.53.


SUPERINTENDENT.
16-6-1953.
Madras Record office.

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